

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF NEW YORK**

YNES M. GONZALEZ DE FUENTE, MARIYA  
KOBRYN, and IVAN KOBRYN, individually and on  
behalf of all others similarly situated,

Plaintiffs,

-against-

PREFERRED HOME CARE OF NEW YORK LLC,  
EDISON HOME HEALTH CARE, HEALTHCAP  
ASSURANCE, INC., HEALTHCAP ENTERPRISES,  
LLC, BERRY WEISS, SAMUEL WEISS, MARK  
REISMAN, GREGG SALZMAN, SHAYA MANNE,  
DANIEL ELLENBERG, AMIR ABRAMCHIK, DOV  
FEDER, DOES 1-15, Inclusive,

Defendants.

**DECLARATION OF CATHA  
WORTHMAN IN SUPPORT  
OF PLAINTIFFS' MOTION  
TO STRIKE**

Case No. 18-cv-6749-AMD-PK

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I, Catha Worthman, declare as follows:

1. I am a member in good standing of the State Bar of California and a partner with the law firm Feinberg, Jackson, Worthman & Wasow, LLP ("FJWW"). I am co-counsel for the Plaintiffs and the proposed class in the above captioned case. I make these statements based on personal knowledge and would so testify if called as a witness at trial.

2. This Declaration is submitted in support of Plaintiffs' Motion to Strike the Motion to Dismiss as to Defendant HealthCap Assurance, Inc.

3. Attached hereto as Exhibit 1 is a true and correct copy of a certification from the New York State Department of Financial Services dated January 30, 2019, stating "[i]t is hereby certified that a diligent search of the records of the department has revealed Healthcap Assurance, Inc. is not, and never has been, licensed under any section of the New York Insurance Law."

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: July 26, 2019

By: /s/ Catha Worthman

FEINBERG, JACKSON,  
WORTHMAN & WASOW LLP

Catha Worthman, *Pro Hac Vice*  
2030 Addison Street, Suite 500  
Berkeley, CA 94704  
(510) 269-7998  
catha@feinbergjackson.com